

UNITED STATES OF AMERICA
DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 2004-10385-MEL

UNITED STATES OF AMERICA

v.

JEROME WEEKES

ASSENTED TO MOTION TO AMEND CONDITIONS OF RELEASE

Now comes the defendant and moves this Honorable Court, with the government's assent, to enter an order permitting the defendant leave his home from 8:00 a.m until 2:00 p.m. and accompany defense counsel to Brockton on June 23, 2005. Further, again with the government's assent, the defendant requests that the Court not require that third party custodian Mary Frances O'Garro accompany the defendant when he and defense counsel go to Brockton on June 23, 2005.

On June 23, 2005, defense counsel is scheduled to conduct a pretrial hearing in an unrelated matter in the Brockton District Court. Defense counsel seeks to view the scene of the October 23, 2004 incident, in Brockton, which gave rise to the charge alleged in the instant indictment. The scene encompasses a bar, several adjacent parking lots, an empty field and adjacent streets. Defense counsel and the defendant will need to walk and drive to different locations in Brockton once defense counsel completes his unrelated business in the Brockton District Court.

It will be overly burdensome to defense counsel if defense counsel has to assure the comfort and well being of Ms. O'Garro while in Brockton with the defendant on June 23, 2005. Additionally, unlike during an office visit, Ms. O'Garro will not be able to simply wait in defense counsel's reception area while the defendant meets with defense counsel in defense counsel's office. Ms. O'Garro presence in Brockton on June 23, 2005, will hinder attorney client communications.

Defense counsel anticipates that he will pick up the defendant from his home, 1215 Blue Hill Avenue, at 8:00 a.m. on June 23 and return the defendant to his home by 2:00 p.m. on June 23. The defendant will be with defense counsel at all times between the time defense counsel picks up the defendant and when he returns the defendant to his home on June 23.

Government's Assent:

As noted above, each and every request contained in this motion is assented to by the government.

**Respectfully Submitted,
JEROME WEEKES,**

By his attorney:

**J. THOMAS KERNER
MA BBO # 552373
Attorney at Law
230 Commercial Street
Boston, MA 02109
(617) 720-5509**